



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

**DONALD J. RANFT  
COLLEN IP  
THE HOLYOKE MANHATTAN BUILDING  
80 SOUTH HIGHLAND AVENUE  
OSSINING, NEW YORK 10562**

**COPY MAILED**

**SEP 28 2005**

**OFFICE OF PETITIONS**

In re Application of	:	
Vicente Teofilo Roldan	:	
Application No. 10/645,385	:	DECISION ON PETITION
Filed: August 21, 2003	:	37 CFR §1.8(b) and 1.137(b)
Attorney Docket No. 8082	:	

This is a decision on the petition, filed April 19, 2005, which is being treated as a petition under 37 CFR §1.8(b) requesting withdrawal of the holding of abandonment of the above-identified application. This is also a decision on the petition under 37 CFR §1.137(b), filed May 25, 2005.

The petition under 37 CFR §1.8(b) is **GRANTED**.

The petition under 37 CFR §1.137(b) is **DISMISSED as moot** in view of the granting of the petition under 37 CFR §1.8(b).

This application was held abandoned for failure to timely reply to the Notice of Missing Parts (Notice) mailed August 2, 2004. The Notice set a two (2) month period for reply, and extensions of time were available under 37 CFR §1.136(a). A Notice of Abandonment was mailed on April 7, 2005.

Applicant asserts that a timely reply to the Notice, in the form of a Corrected Drawing Sheet, was timely filed via facsimile on September 29, 2004. In support of this assertion, Applicant provides copies of the Facsimile confirmation, Drawing Sheet and Response, which includes a Certificate of Transmission dated September 29, 2004.

In view of the foregoing, the holding of abandonment is hereby withdrawn. No petition fee has been charged for the petition treated under 37 CFR §1.8(b) and none is due. Petitioner may request in writing refund of the \$750.00 petition fee filed with the petition dated May 25, 2005.

Please send all requests for refunds to the following address or fax number listed below:

**Mail Stop 16**

**Director of the US Patent and Trademark Office**

**PO Box 1450**

**Alexandria, VA 22313-1450**

To check the status of your refund request, please contact the Refund Branch Customer Service Help Desk.

**Refund Branch Point of Contact**

**Customer Service Help Desk**

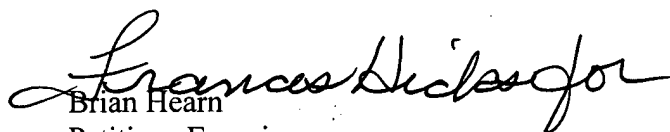
Phone: 703-305-4229 Fax: 703-308-5077

Refund requests should include at a minimum, the following information:

name, address, and phone number;  
patent/application/registration/serial/order number;  
refund amount due;  
reason/explanation of why refund is due; and  
any supporting documentation.

Telephone inquiries concerning this decision should be directed to Angela Ortiz at (571) 272-6051, or in her absence, the undersigned at (571) 272-3217.

This matter is being referred to Office of Initial Patent Examination for further processing of the application.



Brian Hearn  
Petitions Examiner  
Office of Petitions